

majority earlier this year, they have searched for common ground when it comes to jobs legislation, and they have found it, passing more than 20 bills aimed at spurring the economy and creating jobs that have attracted strong bipartisan support.

Meanwhile, the Democratic majority here in the Senate has opted for the latter approach. Taking their cues from the political team down at the White House, Senate Democrats have spent most of their time trying to make Republicans look bad instead of looking for ways to work with us on meaningful jobs legislation.

But today they have taken a break from all that, and I am pleased to say the two parties will pass two important pieces of jobs legislation: Senator BROWN's 3 percent withholding bill, which eases the burden on government contractors, freeing up more money they can use to expand and to hire, and a veterans bill sponsored by Senator MURRAY that not only helps returning veterans but the businesses that hire them.

On their own, these bills won't solve our jobs crisis—far from it. No single piece of legislation can. But this attempt at bipartisanship that has been used to get them over the finish line represents our best shot at making progress on jobs and the economy as long as Republicans have the majority in one half of Congress and Democrats have the majority in the other. We can still improve on the process, of course, through greater consultation within the committee of jurisdiction, but it is a good start nonetheless. This is how divided government works—through genuine cooperation and a search for common ground. It is what Republicans on the joint committee have been doing these past several weeks, and it is what House Republicans have been doing for the past year on legislation of the kind we will actually pass today.

This isn't to say we shouldn't have open, full-throated debates that showcase our differences. The two parties clearly have different points of view when it comes to restoring the economy and creating jobs. That is why we will also have a vote today for the McCain-Paul-Portman bill, which aims at unleashing the private sector instead of shackling it with more government, as our Democratic friends propose. The McCain-Paul-Portman bill is a clear alternative to the President's failed model of endless stimulus. Members should have a chance to express their support for it, and I am glad we will, even as we vote on things on which we can all agree.

So my message is this: Let's keep it up. Let's build on today's success and move on to some of the other jobs bills that have already passed the House on a very broad bipartisan basis. I have highlighted two of them already. Today, I will highlight two more: the Access to Capital for Job Creators Act, H.R. 2940, and the Entrepreneur Access

to Capital Act, H.R. 2930—two bills that make it easier for small businesses to raise money in innovative ways from small donors, generally over the Internet, often through social media. Here is a way to enable the little guy to raise money for his or her business and let small investors get into the game too. We all know access to capital is one of the key ingredients to economic growth. Here is a way to make it easier for folks to get that capital that also creates new avenues for the little guy to invest. Senators THUNE and SCOTT BROWN have companion bills here in the Senate. We should take them up and we should pass them.

You don't hear a lot about Republicans and Democrats agreeing on legislation these days, but here is some on which we do actually agree. So I would say let's take them up, pass them, and send them to the President for his signature. The Obama administration has already said it supports these ideas, and 169 Democrats in the House voted for one of these bills last week, with 175 voting for the other. Republicans support both overwhelmingly as well. So let's do it. Let's build on the momentum we have today, after passing the 3-percent withholding and the Veterans bill. Let's show the American people we have discovered and embraced a formula for success around here.

#### VETERANS DAY 2011

Mr. MCCONNELL. Mr. President, tomorrow is a very important day—Veterans Day—a day we set aside to honor the service and sacrifice of the heroic men and women who have served in the U.S. Armed Forces. America remains a beacon of freedom throughout the world today because of the commitments and sacrifices they have made. Over the years, many brave Americans donned their country's uniform to ensure we would remain safe and free here at home.

My own State of Kentucky has a proud and honorable military history and today is home to both Fort Knox and Fort Campbell, which together house thousands of soldiers. The Commonwealth is also home to scores of brave National Guard members and reservists. The efforts of our soldiers, sailors, airmen, and marines from Kentucky and all 50 States continue today, as our fighting forces courageously defend freedom from dangerous enemies all around the world.

I have been honored to meet with the families of Bluegrass State servicemembers who have been lost in war. I would like to share with my colleagues a little of what they have told me about how proud they are of their loved ones' service.

One soldier's son said:

Nobody wants to see their father die . . . but to have it be while doing something of this significance, we're proud of him.

Another soldier's widow told me:

There are no great words in a time of deep tragedy. But surely there are great men in the midst of great tragedy.

And I will never forget what a preacher said of his lost congregant:

[He] didn't want to die, he didn't intend to die. But he was willing to lay down his life. That's what a hero is.

On Veterans Day, we pay tribute to everyone who ever bore arms in service of this Nation. We can express our thanks and our gratitude to those who are still with us. And we must honor in our memories those who did not return home.

We pay tribute to the families of our servicemembers, too, because they have made a sacrifice as well by loaning America their sons, daughters, husbands, and wives.

And we pay tribute to the indomitable American spirit that is essential to the survival of liberty. It is thanks to America's veterans and their exceptional service that we have upheld this spirit.

Lastly, I would like to offer best wishes for a happy birthday to our marines deployed across the globe, especially to our Kentucky marines who have been such a source of pride to the Commonwealth.

#### RECOGNIZING EASTERN KENTUCKY UNIVERSITY

Mr. MCCONNELL. On a related matter, Mr. President, I would like to recognize Eastern Kentucky University, located in Richmond, KY, for all the school has done on behalf of Kentucky's Veterans. EKV has been named one of the top two universities in the Nation for veterans for the second consecutive year. The recognition was given to EKV by the Military Times EDGE magazine for the university's commitment to helping military veterans advance their education.

EKU has made a concerted effort over the past several years to make the institution more hospitable to America's brave veterans. These initiatives include dropping admission fees for undergraduate veterans, granting in-state tuition to all out-of-State veterans, giving priority registration to veterans, designating housing specifically for student-veterans, and creating a helpful withdrawal and readmission process for veterans.

EKU's commitment to better education for our Nation's heroes has, by all accounts, been a huge success.

In addition to receiving national recognition from the veterans community, the university has seen its veteran population grow by some 40 percent in the last year.

So today, on the eve of Veterans Day, I wish to honor Eastern Kentucky University for its dedication to better serving our country's brave veterans, and to congratulate the university and President Doug Whitlock on this well-deserved recognition.

Mr. President, I yield the floor.

## RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

## MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 10 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees.

The Senator from Wyoming is recognized.

## CROSS-BORDER AIR POLLUTION

Mr. BARRASSO. Mr. President, I come to the floor today to talk about the Environmental Protection Agency, the EPA, and their implementing a cap-and-trade program for what is called cross-State air pollution. I oppose this new regulation and I support the resolution of disapproval that we will be voting on later today.

Led by the EPA, Washington bureaucrats are tying up America with red-tape. They are tying up our Nation and they are tying up the American people. This year alone, the EPA has issued over 400 final rules. These are rules that do have the effect of law. Well, that is over two rules per day so far this year for each day the *Federal Register* has been open for business in 2011.

Imagine any business in the United States, in our home communities—businesses having to comply with two new EPA rules each day you are open for business. And, of course, if you don't comply, then you face thousands of dollars in fines. This is business as usual for the EPA. Thousands of rules are filling the Federal Register, 70,000 pages this year alone. The costs of rules issued this year are estimated to eclipse the \$100 billion mark. It is time to stop Washington bureaucrats. They are issuing excessive rules without considering their impact on our economy.

The problem is that this administration does not believe there is a regulations problem. They think more regulations actually create jobs rather than harm jobs. Fortunately, a previous Congress passed, and President Clinton signed into law, what is called the Congressional Review Act. This law gives us our best tool to dismantle bad regulations, and we should use it when appropriate.

Majority Leader REID, one of the authors of this Congressional Review Act, described the process as a reasonable, sensible approach to regulatory reform. I believe the Senate should use it here today. The Senate should take back some responsibility, instead of letting unelected, unaccountable bureaucrats continue to harm our economy.

I am standing here today to support Senator RAND PAUL's resolution to nullify the EPA's cross-State air pollution

rule. The EPA's cross-State air pollution rule was finalized approximately 3 months ago. It is already costing Americans jobs. Over the summer, officials at a Texas utility threw up their hands and said they can't comply. They said it was too costly, too burdensome, and 500 jobs in Texas were lost as a result. The EPA's own estimates say another 2,500 jobs will be lost because of this very regulation. Private sector analysis puts the job and cost numbers much higher.

The cross-State air pollution rule puts limits on electricity generation for over half the country. It forces Washington's heavy hand on over 1,000 coal, gas, and oil-fired facilities across 28 States. Originally designed for States in the East, the EPA now continues to expand the rule to capture more and more States in the West. The newest version of the rule imposes new requirements for Kansas, Oklahoma, Nebraska, Texas, Iowa, Missouri, and Wisconsin. The compliance costs are very high. By the EPA's own estimate, the rule will cost over \$2.4 billion.

The EPA also notes that part of these costs will be passed on to U.S. households in the form of higher electricity rates. The cross-State air pollution rule demonstrates how bureaucrats simply do not understand how job creators work and operate their businesses all across this country.

The implementation timeline the EPA has proposed is nearly impossible to follow. The rule was finalized on August 8, which leaves less than 6 months for companies and States to act and meet the new mandates by January of 2012. The Office of Management and Budget even warned that there would be consequences of such a drastic change in such a short amount of time.

In conclusion, this resolution of disapproval will tell the bureaucrats to do their job but do it following the rules of the road. We all want clean air, and we want it done in a responsible way. This EPA is rushing through rules, causing a train wreck in our economy, our jobs, and our competitiveness as a nation will suffer as a result. Senator PAUL's resolution will save at least 3,000 American jobs and also prevent a rise in electricity costs for American families. By adopting this resolution today, we will help our job creators, and help them be more competitive in the global marketplace. It is common sense to rein in the EPA.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I have great respect for my colleague who just spoke but disagree with him, and I urge my colleagues to take a careful look at the Rand Paul resolution of disapproval when it comes to this issue of air pollution. I would commend the remarks of our colleague Senator KELLY AYOTTE of New Hampshire who spoke this Tuesday on the floor of the Senate, urging the same opposition to

RAND PAUL's resolution. She said she could not support that resolution. I quote from Senator AYOTTE's floor statement:

The cross-State air pollution rule is designed to control emissions of air pollution that cause air quality problems in downwind States, and New Hampshire is a downwind State.

She went on to argue that this rule, which was first implemented 6 years ago—this is not a new idea coming through this administration; it has been here for years—is simple justice. Why in the world should the people downwind of a polluting State have their lifestyle and opportunity to expand businesses affected? Shouldn't we have reasonable standards that, if the air pollution you put in the air is going to cross over the border—which it naturally will—and affect the air quality in a neighboring State, you have a responsibility? Well, of course you do. But, unfortunately, the position Senator PAUL is taking is that we shouldn't have any standards, we shouldn't have any rules.

I would also suggest that there are utility companies—one that visited my offices yesterday—that agree with my position. They want to have a good rule when it comes to this cross-State air pollution.

John Rowe is the executive of a company named Exelon. Exelon, Commonwealth Edison, has been around for a number of years. They have acquired plants in many different locations. He was here on the Hill yesterday as a utility executive lobbying against RAND PAUL's resolution of disapproval. If you believe the earlier statements made by my colleague and friend Senator BARRASSO, you would assume the power industry is opposed to the EPA in this position. Not true. Many forward-looking utility executives have made decisions to lessen air pollution. If the Paul resolution is enacted, all of their investment will have been for nothing other than their own self-satisfaction. They have tried to live up to a standard in the law which Senator PAUL now wants to eliminate. That is a mistake. And it is a mistake because it rewards bad conduct.

When we come up with new standards to make America healthier and safer, it is interesting, the reaction. Some corporate leaders, when they hear of a new standard that might make the air cleaner or water purer, say, That is it, we have heard from the government, we have got to go out and hire a lawyer and a lobbyist to fight it. Others say, That is it, we believe the standard is reasonable, we are going to hire the engineers to make it work.

The second approach is one we should reward. The first approach will be rewarded if Senator PAUL has his way and eliminates this air pollution standard.

Yesterday, Lisa Jackson, the Administrator of the Environmental Protection Agency, came in my office and I talked to her. I said that many times